

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
STEADFAST CAPITAL MANAGEMENT LLC,	:	
d/b/a STEADFAST FINANCIAL LLC,	:	
d/b/a STEADFAST FINANCIAL ADVISORS LLC,	:	Case No.: 08-cv-0137 (WHP)
	:	
Plaintiff,	:	
	:	ECF Case
-against-	:	
	:	
Genine & Carolynne Brown	:	
1 River Plaza (8M)	:	
Tarrytown, New York 10591	:	
	:	
Defendants.	:	
-----	X	

**COMPLAINT FOR TRADEMARK INFRINGEMENT
AND CYBERSQUATTING**

Plaintiff Steadfast Capital Management LLC (“Plaintiff” or “Steadfast”) files this Complaint involving false designation of origin, unfair competition, and trademark infringement, and cybersquatting against Genine and Carolynne Brown. (“Defendants”). In support of its complaint, Plaintiff states as follows:

THE PARTIES

1. Plaintiff Steadfast Capital Management LLC (“Steadfast”) is a Delaware Limited Liability company with a principal address at 767 Fifth Avenue, 6th Floor, New York, New York 10153.

2. On information and belief, Defendants are individuals residing in Tarrytown, New York, with an address at 1 River Plaza (8M) Tarrytown, New York 10591.

3. On information and belief, Defendants acquired the Internet domain name registration for steadfast.com sometime bewteen 2000 and 2003.

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. §§ 1331 and 1338 because it involves Federal questions arising under the Trademark Act of 1946, as amended, 15 U.S.C. § 1051 *et seq.*
5. Personal jurisdiction is proper because Defendants are residents of the State of New York.
6. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b).

FACTS APPLICABLE TO ALL COUNTS

Plaintiff Steadfast

7. Steadfast owns rights for the service mark STEADFAST, for use in connection with financial services (“STEADFAST mark”).
8. Steadfast provides financial services, under the names Steadfast Advisors LLC, Steadfast Financial LLC, Steadfast Financial Advisors LLC, and Steadfast Capital, L.P.
9. Steadfast has been using the name and service mark STEADFAST in connection with its business since 1997.
10. Steadfast’s primary area of business is in the management of investment funds and “hedge” funds.
11. Steadfast is known in particular in the investment community for its knowledge of and investment in businesses in the field of insurance and reinsurance.
12. Steadfast has used the mark STEADFAST since at least as early as July 1997. Over the past 10 years, Steadfast has used the mark throughout the United States for its financial services.

13. Steadfast owns U.S. Service Mark Registration No. 3083159 for the mark STEADFAST for financial services, namely, financial analysis and consultation, forecasting and research, and financial investments in the field of mutual funds, hedge funds and private equity investments and related services. A copy of this registration is attached as Exhibit A.

14. Steadfast provides financial services and advice throughout the United States. The service mark STEADFAST is used prominently in its promotional and marketing materials, including memoranda and slide presentations.

15. The service mark STEADFAST is well known throughout the financial services industry, particularly in the sector that focuses on insurance.

Defendants

16. All facts set forth below are based on information and belief.

17. Defendants are individuals.

18. The domain name steadfast.com was originally registered to a Canadian business called Steadfast.

19. Defendants acquired this domain name after the original owners allowed it to expire.

20. Defendants acquired this domain name sometime between 2000 and 2003.

21. Defendants never used the domain name steadfast.com in connection with any legitimate business.

22. Defendants became aware of Plaintiff when Plaintiff inquired about purchasing the domain name steadfast.com.

23. At the time that Plaintiff inquired about purchasing the name steadfast.com, the name did not resolve to any website featuring references to Plaintiff or the insurance business.

24. After learning about Plaintiff, Defendants capitalized on the coincidence by using the name steadfast.com to link to a web page full of links to companies in the insurance business.

25. Defendants presumably derive revenue from “pay per click” advertising services, receiving numerous small payments each time a viewer of the website clicks through to the home page of the advertiser.

26. Defendants’ website prominently displays the term STEADFAST.COM on the home page of its website.

27. Defendants’ use of STEADFAST to link to entities of the type that Plaintiff is known to invest in is likely to cause confusion as to the relationship between Plaintiff and Defendants and as to the source of Defendants’ services.

COUNT I

(False Designation of Origin and Unfair Competition – 15 U.S.C. § 1125(a))

28. Plaintiffs incorporate the allegations in the preceding paragraphs of this Complaint as if fully set forth below.

29. This cause of action is for false designation of origin and unfair competition under 15 U.S.C. § 1125(a).

30. Through their use of the service mark STEADFAST.COM, Defendants, if not enjoined, will cause, and are likely to cause, consumers in this judicial district and elsewhere to be confused, mistaken, or deceived as to the affiliation, connection or association of Defendants’ financial services, with Plaintiff, with the service mark STEADFAST, or as to Plaintiff’s association, sponsorship or approval of Defendants’ pay-per-click website, or both..

31. Defendants’ unauthorized use of the service mark STEADFAST has damaged Plaintiff in an amount to be determined at trial. Such use has also caused Plaintiff to suffer

irreparable harm, and Plaintiff will continue to be irreparably harmed unless and until Defendants' unlawful conduct is enjoined. Plaintiff has no adequate remedy at law.

COUNT II
(Infringement of Registered Service Mark – 15 U.S.C. § 1114(1))

32. Plaintiff incorporates the allegations in the preceding paragraphs of this Complaint as if fully set forth below.

33. This cause of action is for infringement of Plaintiff's federally registered Service Mark STEADFAST under 15 U.S.C. § 1114(1).

34. Through their use of the service mark STEADFAST, Defendants, if not enjoined, will cause, and are likely to cause, consumers in this judicial district and elsewhere to be confused, mistaken, or deceived as to the affiliation, connection or association of Defendants' company and products, with Plaintiff, with the service mark STEADFAST, or as to Plaintiff's sponsorship or approval of Defendants' business, products or both.

35. Defendants' willful and unauthorized misuse of the service mark STEADFAST has damaged Plaintiff in an amount to be determined at trial. Such use has also caused Plaintiff to suffer irreparable harm, and Plaintiff will continue to be irreparably harmed unless and until Defendants' unlawful conduct is enjoined. Plaintiff has no adequate remedy at law.

36. Defendants' willful and unauthorized use of the service mark STEADFAST has damaged Plaintiff in an amount to be determined at trial. Such use has also caused Plaintiff to suffer irreparable harm, and Plaintiff will continue to be irreparably harmed unless and until Defendants' unlawful conduct is enjoined. Plaintiff has no adequate remedy at law.

COUNT III
(Cybersquatting – 15 U.S.C. § 1125(d))

37. Steadfast incorporates the allegations in the preceding paragraphs of this Complaint as if fully set forth herein.

38. This cause of action is for violation of the The Anticybersquatting Consumer Protection Act, 15 U.S.C. § 1125(d), (“ACPA”). ACPA provides a cause of action against a person who, with a bad faith intent to profit, registers, or uses or traffics in an Internet domain name that is identical or confusingly similar to a distinctive mark.

39. The service mark STEADFAST is distinctive and was distinctive at the time of the original registration and the time of Defendants’ acquisition of steadfast.com.

40. Defendants’ domain name STEADFAST.COM contains the word “STEADFAST,” which is identical to Plaintiff’s service mark STEADFAST.

41. Defendants have offered to sell the domain name reigstration for steadfast.com to Plaintiff for many times the price of registration.

42. STEADFAST.COM is being used with the bad faith intent to profit from the goodwill of Steadfast’s service marks in the United States.

43. STEADFAST.COM is being used with the bad faith intent to derive “pay-per-click” revenue by diverting internet users looking for information about Plaintiff to third party websites for profit.

44. Defednats have never used steadfast.com in connection with the operation of a legitmaite business.

45. Defendants have no trademak rights in the word STEADFAST.

46. Defendants are fully aware that they have no rights or purported rights to divert customers who are looking for information about Plaintiff.

47. By reason of Defendants' acts set forth above, Plaintiff believes it has been injured in its business, property, reputation and goodwill. The injury to Plaintiff is and continues to be immediate and irreparable.

48. As such, Plaintiff is entitled to recover complete ownership and control of the domain name registration for STEADFAST.COM.

49. Plaintiff is also entitled to statutory damages of up to \$100,000 pursuant to 15 U.S.C.1117(d) for the bad-faith use of STEADFAST.COM.

Prayer for Relief

WHEREFORE, Plaintiff respectfully requests the Court to enter judgment in Plaintiff's favor and against Defendant, as follows:

50. Plaintiff requests that this Court grant a preliminary and permanent injunction pursuant to the powers granted in under 15 U.S.C. § 1116, enjoining and restraining Defendants, their officers, agents, servants, and employees, and those persons in active concert or participation with it, from directly or indirectly using any trademark or trade name containing or consisting of the term STEADFAST, or any confusingly similar variation thereof, which is likely to cause confusion, mistake, or to deceive.

51. Plaintiff requests relief in the form of an accounting by Defendants of all gains, profits and advantages derived from their unlawful activities, such amount to be trebled pursuant to 15 U.S.C. § 1117(a) by virtue of Defendants' unlawful conduct.

52. Plaintiff requests relief in the form of an award of compensatory and punitive damages in an amount to be proven at trial, such amount to be trebled pursuant to 15 U.S.C. § 1117(a) by virtue of Defendants' willful conduct.

53. Plaintiff requests an award of statutory damages for cybersquatting of not less than \$1,000 and not more than \$100,000 pursuant to 15 U.S.C. § 1117(d).

54. Plaintiff requests relief in the form of an award of costs, including reasonable attorneys' fees, by virtue of the exceptional circumstances of this case, because of Defendants' willful conduct or both.

55. Plaintiff requests that the Court order that the domain name registration for steadfast.com be transferred to Plaintiff.

56. Plaintiff requests that this Court grant Plaintiffs such other and further relief as this Court may deem just and proper.

Dated: January 7, 2008

Respectfully Submitted,

STEADFAST FINANCIAL LLC

By: 

Gregory W. Gilliam GG2857

VENABLE LLP

405 Lexington Avenue

56th Floor

New York, New York 10174

Telephone: 212-307-5500

Facsimile: 212-307-5598

Seth Shaifer SS4087

VENABLE LLP

575 7th Street, NW

Washington, DC 20004

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E-Mail: sshaifer@venable.com

trademarkdocket@venable.com

Of Counsel

Janet F. Satterthwaite

VENABLE LLP

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Washington, DC 20004

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trademarkdocket@venable.com

Attorneys for Plaintiff Steadfast Financial LLC

Int. Cl.: 36

Prior U.S. Cls.: 100, 101, and 102

United States Patent and Trademark Office

Reg. No. 3,083,159

Registered Apr. 18, 2006

**SERVICE MARK
PRINCIPAL REGISTER**

STEADFAST

STEADFAST CAPITAL MANAGEMENT, LLC
(DELAWARE LTD LIAB CO)
767 5TH AVENUE, 11TH FLOOR
NEW YORK, NY 10153

FOR: FINANCIAL SERVICES, NAMELY, FINANCIAL ANALYSIS AND CONSULTATION, FORECASTING AND RESEARCH, AND FINANCIAL INVESTMENTS IN THE FIELD OF MUTUAL FUNDS, HEDGE FUNDS AND PRIVATE EQUITY

INVESTMENTS, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 7-0-1997; IN COMMERCE 7-0-1997.

SN 76-468,074, FILED 11-8-2002.

DOMINICK J. SALEMI, EXAMINING ATTORNEY



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

NOTICE OF ACCEPTANCE OF STATEMENT OF USE

Mar 9, 2006

TM106

ATTORNEY
REFERENCE NUMBER:

40845-184034

MARK B. HARRISON
VENABLE LLP
P.O. BOX 34385
WASHINGTON, D.C. 20043-9998

SERIAL NUMBER:	76/468074
MARK:	STEADFAST
OWNER:	Steadfast Capital Management, LLC

The Statement of Use (SOU) filed for the trademark application identified above has been accepted. This acceptance means that the mark will register and the registration certificate will issue in due course barring any extraordinary circumstances.

For further information please check the USPTO web site at www.uspto.gov or call the Trademark Assistance Center at 1-800-786-9199.

Trademark Snap Shot Publication Stylesheet

(Table presents the data on Publication Approval)

OVERVIEW

SERIAL NUMBER	76468074	FILING DATE	11/08/2002
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SALEMI, DOMINICK J	L.O. ASSIGNED	106

PUB INFORMATION

RUN DATE	02/11/2006
PUB DATE	04/13/2004
STATUS	818-SU - STATEMENT OF USE ACCEPTED - APPROVED FOR REGISTRATION
STATUS DATE	02/10/2006
LITERAL MARK ELEMENT	STEADFAST

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	YES	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO

66A	NO	66A	NO				
NO BASIS	NO	NO BASIS	NO				
MARK DATA							
STANDARD CHARACTER MARK			NO				
LITERAL MARK ELEMENT			STEADFAST				
MARK DRAWING CODE			1-TYPESET WORD(S)/LETTER(S)/NUMBER(S)				
COLOR DRAWING FLAG			NO				
CURRENT OWNER INFORMATION							
PARTY TYPE			20-OWNER AT PUBLICATION				
NAME			Steadfast Capital Management, LLC				
ADDRESS			767 5th Avenue, 11th floor New York, NY 10153				
ENTITY			16-LTD LIAB CO				
CITIZENSHIP			Delaware				
GOODS AND SERVICES							
INTERNATIONAL CLASS			036				
DESCRIPTION TEXT			FINANCIAL SERVICES, NAMELY, FINANCIAL ANALYSIS AND CONSULTATION, FORECASTING AND RESEARCH, AND FINANCIAL INVESTMENTS IN THE FIELD OF MUTUAL FUNDS, HEDGE FUNDS AND PRIVATE EQUITY INVESTMENTS; INVESTMENT ADVISORY SERVICES; FINANCIAL ADVISORY SERVICES; SECURITIES AND INVESTMENT TRADING SERVICES				
GOODS AND SERVICES CLASSIFICATION							
INTERNATIONAL CLASS	036	FIRST USE DATE	07/00/1997	FIRST USE IN COMMERCE DATE	07/00/1997	CLASS STATUS	6-ACTIVE
MISCELLANEOUS INFORMATION/STATEMENTS							
CHANGE IN REGISTRATION				NO			

PSEUDO MARK			STEAD FAST	
PROSECUTION HISTORY				
DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
02/10/2006	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	023
02/02/2006	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	022
11/15/2005	IUAF	S	USE AMENDMENT FILED	021
08/06/2005	EX2G	S	EXTENSION 2 GRANTED	020
07/06/2005	EXT2	S	EXTENSION 2 FILED	019
12/29/2005	PETG	O	PETITION TO REVIVE-GRANTED	018
11/15/2005	MAIL	I	PAPER RECEIVED	017
11/03/2005	PETR	I	PETITION TO REVIVE-RECEIVED	016
11/03/2005	MAIL	I	PAPER RECEIVED	015
09/30/2005	MAB6	O	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	014
09/28/2005	ABN6	S	ABANDONMENT - NO USE STATEMENT FILED	013
01/14/2005	EX1G	S	EXTENSION 1 GRANTED	012
12/10/2004	EXT1	S	EXTENSION 1 FILED	011
12/10/2004	MAIL	I	PAPER RECEIVED	010
07/06/2004	NOAM	O	NOTICE OF ALLOWANCE-MAILED	009
04/13/2004	PUBO	A	PUBLISHED FOR OPPOSITION	008
03/24/2004	NPUB	O	NOTICE OF PUBLICATION	007
01/07/2004	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	006
10/28/2003	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	005
10/28/2003	MAIL	I	PAPER RECEIVED	004
04/28/2003	CNRT	O	NON-FINAL ACTION MAILED	003
04/24/2003	CNRT	F	NON-FINAL ACTION MAILED	002
04/18/2003	DOCK	D	ASSIGNED TO EXAMINER	001
CURRENT CORRESPONDENCE INFORMATION				
ATTORNEY			Mark B. Harrison	

CORRESPONDENCE ADDRESS	MARK B. HARRISON VENABLE LLP P.O. BOX 34385 WASHINGTON, D.C. 20043-9998
DOMESTIC REPRESENTATIVE	NONE
PRIOR OWNER INFORMATION	
PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Steadfast Capital Management, LLC
ADDRESS	767 5th Avenue, 11th floor New York, NY 10153
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

STEADFAST



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

NOTICE OF APPROVAL OF EXTENSION REQUEST

Feb 3, 2006

TM106

ATTORNEY
REFERENCE NUMBER:

MARK B. HARRISON
VENABLE LLP
P.O. BOX 34385
WASHINGTON, D.C. 20043-9998

40845-184034

SERIAL NUMBER: 76/468074

MARK: STEADFAST

OWNER: Steadfast Capital Management, LLC

EXTENSION REQUEST NUMBER: 2 **NOTICE OF ALLOWANCE DATE:** Jul 6, 2004

A Notice of Allowance was issued on Jul 6, 2004 for the trademark application identified above. The SECOND request for Extension of Time to File a Statement of Use has been approved. Applicant must continue to file extension requests every 6 months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed. Please note that a Statement of Use cannot be filed more than 36 months from the issuance date of the Notice of Allowance.

For further information please check the USPTO web site at www.uspto.gov or call the Trademark Assistance Center at 1-800-786-9199.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

NOTICE OF REVIVAL OF APPLICATION

MARK B. HARRISON
VENABLE LLP
P.O. BOX 34385
WASHINGTON, D.C. 20043-9998

SERIAL NUMBER:	76/468074
MARK:	STEADFAST
OWNER:	Steadfast Capital Management, LLC
REVIVAL DATE:	December 29, 2005

The above referenced application was revived on the date shown above.

The file will be forwarded to the appropriate section of the Office for further action. For example, if the abandonment resulted from failure to timely file a response to an Office Action, your file will be forwarded to the Examining Attorney; if the abandonment resulted from a failure to timely file a Statement of Use or Extension of Time to File a Statement of Use, your file will be forwarded to the Intent to Use Section.

To verify the status and location of your application, please wait approximately three weeks, then check the Trademark Application and Registration Retrieval (TARR) system located at the USPTO website: www.uspto.gov, or call the Trademark Assistance Center at 1-800-786-9199.

ORIGINAL

ITU REVIVED OR REINSTATED APPLICATIONS AND PETITION EXTENSION FORM

Date: December 29, 2005

To: Intent to Use Unit

From: Gwendolyn Miranda, Paralegal Specialist
Office of Petitions

Re: S/N: 76/468074 **Mark:** STEADFAST

**The above-identified application has been revived/reinstated pursuant to
Trademark Rule 2.66.**

PLEASE TAKE THE FOLLOWING ACTION(s):

Process SOU Dated: 11/15/05
Process 2ND Extension Dated: 07/06/05

PETITION EXTENSION FORM

Under Trademark Rule 2.66(c)(3), Petitioner is required to file the fees for the number of extension requests that should have been filed if the application had not been abandoned. Therefore, Petitioner has submitted the fee for the ^ Extension Period (insert one only - 1st, 2nd, 3rd, 4th or 5th).

However, under Trademark Rule 2.66(c)(4), Petitioner is not required to file the corresponding document. Therefore, please enter ^ extension request filed in TRAM with a date of ^, which is six months from the issuance of the NOA or from the expiration of the last extension request that was granted, as appropriate.

VENABLE[®] LLP

575 7th Street, NW
Washington, DC 20004-1601

Telephone 202-344-4000
Facsimile 202-344-8300

www.venable.com



Mark B. Harrison (202) 344-4019 mbharrison@venable.com

November 15, 2005

By Hand

Trademark Assistance Center
Madison East, Concourse Level Room C 55
600 Dulany Street
Alexandria, VA 22314

Re: U.S. Service Mark Application No. 76/468,074
Mark: **STEADFAST**
Applicant: Steadfast Capital Management, LLC
Attorney Reference: 40845-184034

Dear Sir:

Submitted herewith in support of the captioned application, is the following document:

- Statement of Use Under Section 2.88 w/ supporting specimens.

Authorization is granted to deduct the \$100.00 filing fee, and any other fees, from Deposit Account No. 22-0261.

Please direct all communication regarding this matter to the undersigned at the above address and phone number.

Respectfully submitted,

A handwritten signature in black ink that reads "Mark B. Harrison".

Mark B. Harrison

Enclosure

DC2/698954



11-15-2005

U.S. Patent & TMO/TM Mail Rcpt Dt. #30

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Operations

Applicant : Steadfast Capital Management, LLC
Serial No : 76/468,074
Filed : November 8, 2002 :
Mark : **STEADFAST**

Attorney's Reference: 40845-184034

STATEMENT OF USE

Honorable Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Sir:

Applicant requests registration of the above-identified trademark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5th, 1946 (15 U.S.C. 1051 et. seq., as amended). A specimen showing the mark as used in commerce (Class 36) is submitted with this Statement of Use.

Applicant is using the mark in commerce on or in connection with the following services: FINANCIAL SERVICES, NAMELY, FINANCIAL ANALYSIS AND CONSULTATION, FORECASTING AND RESEARCH, AND FINANCIAL INVESTMENTS IN THE FIELD OF MUTUAL FUNDS, HEDGE FUNDS AND PRIVATE EQUITY INVESTMENTS;

The mark was first used on or in connection with the services on or about July 1997; was first used on or in connection with the services in commerce on or about July 1997.

The mark is used by applying it to placement memoranda, slide presentations and other promotional materials for the services.

The following services are to be deleted from this application.

INVESTMENT ADVISORY SERVICES; FINANCIAL ADVISORY SERVICES;
SECURITIES AND INVESTMENT TRADING SERVICES

The undersigned declares and states that he/she is an officer of the applicant and is properly authorized to execute and sign this Statement of Use on behalf of and for the applicant; that he/she believes the applicant to be the owner of the trademark sought to be registered; that the trademark is now in use in commerce; that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

Done, this 11th day of November, 2005.

Steadfast Capital Management, LLC

By: 

Name: Joseph M. Carney

Title: Chief operating officer

STEADFAST

Copy No. _____

STEADFAST INTERNATIONAL LTD.

A CAYMAN ISLANDS EXEMPTED COMPANY

PRIVATE PLACEMENT OF SHARES

CONFIDENTIAL

PRIVATE PLACEMENT MEMORANDUM

Steadfast Capital Management LLC

Investment Manager

September 2005

PURSUANT TO AN EXEMPTION FROM THE COMMODITY FUTURES TRADING COMMISSION ("CFTC") IN CONNECTION WITH POOLS WHOSE PARTICIPANTS ARE LIMITED TO QUALIFIED ELIGIBLE PERSONS, AN OFFERING MEMORANDUM FOR THIS POOL IS NOT REQUIRED TO BE, AND HAS NOT BEEN, FILED WITH THE CFTC. THE CFTC DOES NOT PASS UPON THE MERITS OF PARTICIPATING IN A POOL OR UPON THE ADEQUACY OR ACCURACY OF AN OFFERING MEMORANDUM. CONSEQUENTLY, THE CFTC HAS NOT REVIEWED OR APPROVED THIS OFFERING OR ANY OFFERING MEMORANDUM FOR THIS POOL.

STEADFAST

Copy No. _____

STEADFAST CAPITAL, L.P.

767 Fifth Avenue, 11th Floor
New York, New York 10153
(212) 418-6999

CONFIDENTIAL PRIVATE OFFERING MEMORANDUM

General Partners :

Steadfast Advisors LLC
767 Fifth Avenue, 11th Floor
New York, New York 10153
(212) 418-6999

Steadfast Financial LLC
767 Fifth Avenue, 11th Floor
New York, New York 10153
(212) 418-6997

May 1, 2002
Confidential Private Offering Memorandum

A CLAIM OF EXEMPTION FOR THE PARTNERSHIP FROM CERTAIN DISCLOSURE REQUIREMENTS OF THE COMMODITY FUTURES TRADING COMMISSION HAS BEEN MADE PURSUANT TO REGULATION 4.12(b)(2)(ii) UNDER THE COMMODITY EXCHANGE ACT AND ACCORDINGLY THIS DOCUMENT OMITTS CERTAIN DISCLOSURES WHICH WOULD OTHERWISE BE REQUIRED.

STEADFAST FINANCIAL, LLC

STEADFAST

Table of Contents

1. Overview of the Firm
2. Investment Process
3. Research Process
4. Portfolio Management Process

Overview of the Firm

Overview of the Firm

Emphasis on Capital Preservation

- The primary objectives of Steadfast are to provide investors with long-term compound annual returns of 10-20% net of incentive fees, to minimize the volatility of those returns, and to protect investors' capital from large drawdowns regardless of market conditions.
- We have developed several internal risk parameters:
 1. We maintain low gross and net exposures (typically 80-150% gross and 0-60% net).
 2. We monitor the exposures in our portfolio on a daily basis from several perspectives:
 - As reported
 - As adjusted for Beta
 - As adjusted by Steadfast's internal measure of risk
 - By industry
 3. We employ internal triggers to limit losses on individual securities.

Overview of the Firm

Emphasis on Capital Preservation

- We will consider all parts of a company's capital structure, including its debt securities, when we make an investment.
 - Non-equity securities are often less volatile instruments and may present a more attractive risk/reward profile than simply investing in the common stock.

Overview of the Firm

People

- **Robert Pitts**, *President and Chief Investment Officer*. Founded Steadfast in 1997 after seven year career with Tiger Management, a leading hedge fund investor. Served in various capacities with Tiger, including Managing Director in charge of financial services investments. Prior experience includes three years in real estate finance with Chemical Realty Corp. B.A., University of Virginia; M.B.A., Harvard.
- **Andrew Foote**, *Managing Director*. Joined Steadfast in January 1999 as Managing Director, following four years with Morgan Stanley in the Global Insurance Group concentrating in M&A. Specializes in insurance, restaurants, and special situations. B.A., Princeton University; M.B.A., Tuck School – Dartmouth.

Overview of the Firm

People

- **Joseph Carney**, *Managing Director and Chief Operating Officer*. Joined Steadfast in 2001, following five years as President of Sargassum Capital, a long only investment manager. Prior experience includes eight years in proprietary trading/risk arbitrage with Bear Stearns and two years in the investment banking group of PaineWebber Group. B.S.B.A., Georgetown University; CFA.
- **Christopher Blundin**, *Analyst*. Joined Steadfast in 2005 specializing in Retail. Prior experience includes four years at Dreyfus Corporation and two years at Alliance Capital. B.A., Middlebury College; M.B.A., Columbia University.
- **Paul Cho**, *Analyst*. Joined Steadfast in 2002 specializing in energy. Four years experience at Morgan Stanley in the M&A group. B.A., Princeton University.
- **Jeff Dobro, M.D.**, *Analyst*. Joined Steadfast in 2004 specializing in health care after three years at Trilogy Capital. Prior experience includes Principal at CMM (a national health care consulting group), Chief Medical Officer Telesis Medical Management, and Senior VP Product Development New York Life. Dr. Dobro is also on the faculty of New York University. M.D., Medical College of Pennsylvania, B.S., Muhlenberg College.

Overview of the Firm

People

- **Joseph Malangoni**, *Controller*. Joined Steadfast in 2002 with four years of experience in the Investment Management Services Group of PricewaterhouseCoopers LLP. B.S., Kelley School of Business, Indiana University; CPA.
- **Sheena Malik**, *Assistant Controller*. Joined Steadfast in June 2004 with three years of experience in the Investment Management Services Group of PricewaterhouseCoopers LLP. B.S., Syracuse University; CPA.
- **Jack Pitts**, *Analyst*. Steadfast analyst since 1999 specializing in technology and business services. Prior five years as nuclear submarine officer with U.S. Navy. B.S., Penn State University.
- Additional employees include two assistants, Malini Prashad and Beth Butler, and an information technology consultant, John Ripkey.

Investment Process

Investment Process

What We Look For

- We typically make long investments in companies that have an identifiable franchise and an above average return on equity but that have temporarily fallen out of favor with the investment community because of a one-time, solvable problem.
- We look for two types of shorts (see page 14 for further discussion):
 1. Companies we believe are going bankrupt.
 2. Companies we believe will suffer significant deterioration in their business models in the near-term.

Investment Process

Sourcing Ideas

- We develop our ideas primarily from four sources:
 1. Sectors in which we cover the full universe of companies:
 - For financials and restaurants, we follow the entire universe of investable names which entails listening to quarterly conference calls and reading public filings, news releases, and trade publications.
 - Ideas often develop because we are an information conduit whose opinion is sought by managements, other sector investors, journalists, investment bankers and private equity partnerships.
 2. On a selective basis, we share our financial services expertise with other investment professionals who, in return, may give us fresh ideas in other sectors.
 3. We monitor the fixed income market for clues that may help us to predict the health of companies' underlying businesses.
 4. Recurring themes or situations we have successfully invested in before.

Research Process

Research Process

The Five Questions

- Before making any investment, we write a memo answering the following questions:
 1. What is the business model?
 2. Will the business grow (on a unit basis)?
 3. Management Evaluation – will management return the majority of profits of the business to the shareholders?
 4. Do the financials support the investment thesis?
 5. What is the catalyst?

Research Process

Short Framework

- The Five Question process simply works in reverse on the short side.
- However, to elaborate on the process, we focus exclusively on two categories of short investments:

Type I: A company whose business model will never work; and therefore, there is a legitimate case that the stock will go all the way to \$0.

Type II: A company whose operating results will deteriorate significantly in the next one to three quarters.

Portfolio Management Process

Portfolio Management Process

Portfolio Parameters

- We generally hold 20 to 25 long positions and 30 to 40 short positions.
- We consider a full position to be 6% on the long side and 3% on the short side.

Portfolio Management Process

Position Management

- On the long side, we target investments that will return 100% within three years.
- On the short side, we look for a 50% decline within 18 months.
- We have two triggers we monitor to mitigate losses:
 1. If a position goes 20% against us, the analyst re-evaluates the work in order to determine whether we have made a mistake in our analysis.
 2. If a position goes 33% against us, we typically reduce our risk by cutting the position in half, and we re-evaluate our investment thesis to determine whether we should exit the rest of the position.

VENABLE[®]
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575 7th Street, NW
Washington, DC 20004-1601

Telephone 202-344-4000
Facsimile 202-344-8300

www.venable.com



Mark B. Harrison
(202) 344-4019
mbharrison@venable.com

November 3, 2005

Honorable Assistant Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Re: U.S. Trademark Application 76/468,074
Mark: STEADFAST
Applicant: Steadfast Capital Management, LLC
Our Reference: 40845-184034

Sir:

We enclose the following for filing in the Patent and Trademark Office:

- X Petition to the Commissioner to Revive Application
- X Second Request for an Extension of Time to File a Statement of Use

Authorization is granted to deduct the \$250.00 filing fee from Deposit Account No. 22-0261 and notify us accordingly.

Please update your records to reflect that correspondence should be sent to the following address:

VENABLE LLP
P.O. Box 34385
Washington, DC 20045-9998

Sincerely,

Mark B. Harrison



11-03-2005

U.S. Patent & TMO/TM Mail Rpt Dt. #72

MBH/lmf
Enclosures

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575 7th Street, NW
Washington, DC 20004-1601

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Facsimile 202-344-8300

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mbharrison@venable.com

November 3, 2005

Honorable Assistant Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Re: U.S. Trademark Application 76/468,074
Mark: **STEADFAST**
Applicant: Steadfast Capital Management, LLC
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We enclose the following for filing in the Patent and Trademark Office:

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Authorization is granted to deduct the \$250.00 filing fee from Deposit Account No. 22-0261 and notify us accordingly.

Please update your records to reflect that correspondence should be sent to the following address:

VENABLE LLP
P.O. Box 34385
Washington, DC 20045-9998

Sincerely,

A handwritten signature in black ink that reads "Mark B. Harrison".

Mark B. Harrison



11-03-2005

U.S. Patent & TMO/TM Mail Rcpt Dt. #72

MBH/lmf
Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Operations

Applicant : Steadfast Capital Management, LLC
Serial No : 76/468,074
Filed : November 8, 2002 :
Mark : **STEADFAST**

Attorney's Reference: 40845-184034

PETITION TO THE COMMISSIONER TO REVIVE APPLICATION

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Sir:

Applicant hereby petitions the Commissioner under Section 12(b) of the Trademark Act to revive this application. A Notice of Abandonment was issued on September 30, 2005.

This application was unintentionally abandoned because a Statement of Use or a Request for an Extension of Time to File a Statement of Use was not timely filed. An appropriate Request for Extension of Time to File a Statement of Use is attached hereto.

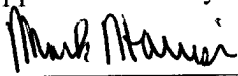
The abandonment was unintentional in that it was precipitated by clerical error on the part of the applicant and the departure of certain of applicant's personnel.

The filing fee of \$100.00 for this Petition is attached.

If there is no fee attached hereto, or an insufficient amount, please charge the fee to our Deposit Account No. 22-0261 and notify us accordingly.

The undersigned declares and states that he is the applicant's attorney, that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

November 3, 2005



Mark B. Harrison
VENABLE
P.O. Box 34385
Washington, D.C. 20043-9998
Telephone: (202) 962 4019
Telefax: (202) 962 8300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Operations

Applicant : Steadfast Capital Management, LLC
Serial No : 76/468,074
Filed : November 8, 2002
Mark : **STEADFAST**

Attorney's Reference: 40845-184034

Honorable Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

2nd REQUEST FOR EXTENSION OF TIME UNDER 37 CFR 2.89
TO FILE STATEMENT OF USE

Sir:

Applicant requests a six-month extension of time to file the Statement of Use under 37 CFR 2.88 in connection with the above-identified trademark application.

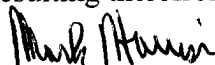
Applicant has a continued bona fide intention to use the mark in commerce in connection with the following services: *Those services identified in the Notice of Allowance in this application.*

This is the second request for an extension of time following the mailing of the Notice of Allowance. Applicant has not used the mark in commerce yet on all of the services specified in the Notice of Allowance. The mark is in use on some of the services, and applicant requires the additional time to gather the information and documentation necessary to prepare and file a statement of use.

The undersigned declares and states that he is properly authorized to execute and sign this Request for Extension of Time to File a Statement of Use on behalf of and for the applicant; that he believes the applicant to be the owner of the trademark sought to be registered; that all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

Date: November 3, 2005

By:



Mark B. Harrison
Venable LLP
P.O. Box 34385
Washington, D.C. 20045-9998
Telephone: (202) 344-4019
Fax: (202) 344-8300
Attorney for Applicant



11-03-2005



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

Sep 30, 2005

NOTICE OF ABANDONMENT

MARK B. HARRISON
VENABLE LLP
P.O. BOX 34385
WASHINGTON, D.C. 20043-9998

SERIAL NUMBER:	76/468074
MARK:	STEADFAST
APPLICANT:	Steadfast Capital Management, LLC

THE ABOVE IDENTIFIED TRADEMARK APPLICATION WAS ABANDONED ON 07/07/2005 FOR THE FOLLOWING REASON:

APPLICANT FAILED TO FILE A STATEMENT OF USE (SOU) OR REQUEST FOR AN EXTENSION OF TIME TO FILE A STATEMENT OF USE (EXTENSION REQUEST). TRADEMARK ACT 1(d)(4), 15 U.S.C. 1051 (d)(4); 37 C.F.R. 2.65(c).

YOU CAN REQUEST REINSTATEMENT OF THE APPLICATION FOR NO FEE IF:

- * YOU HAVE PROOF THAT THE STATEMENT OF USE OR EXTENSION REQUEST WAS RECEIVED IN THE USPTO ON OR BEFORE THE DUE DATE - SUCH AS A POSTCARD WITH A USPTO MAILROOM DATE STAMP; OR,
- * YOU MAILED OR FAXED THE STATEMENT OF USE OR EXTENSION REQUEST ON OR BEFORE THE DUE DATE WITH A CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION, IN ACCORDANCE WITH USPTO RULE 2.197, 37 CFR SEC. 2.197.

YOU MUST SUBMIT A COPY OF THE PREVIOUSLY SUBMITTED TIMELY STATEMENT OF USE OR EXTENSION REQUEST WITHIN 2 MONTHS OF THE DATE PRINTED AT THE TOP OF THIS NOTICE ALONG WITH ONE OF THE TYPES OF PROOF SET OUT ABOVE. YOU MAY FAX THIS INFORMATION TO THE INTENT TO USE UNIT AT 571-273-9550.

IF YOU DO NOT HAVE THE PROOF NECESSARY FOR REINSTATEMENT, YOU CAN REQUEST REVIVAL OF THE APPLICATION, UNDER USPTO RULE 2.66, 37 CFR SEC. 2.66, BY:

- * FILING A "PETITION TO REVIVE" **WITHIN 2 MONTHS** OF THE DATE PRINTED AT THE TOP OF THIS NOTICE, INDICATING THAT THE REASON FOR THE DELAY IN RESPONDING BY THE DUE DATE WAS "UNINTENTIONAL";
- * PAYING THE PETITION FEE OF \$100, MADE PAYABLE TO THE COMMISSIONER OF TRADEMARKS; AND
- * IF YOU RECEIVED THE NOTICE OF ALLOWANCE YOU MUST ALSO INCLUDE A COPY OF THE STATEMENT OF USE OR EXTENSION REQUEST AND THE REQUIRED FEES, INCLUDING ANY FEES FOR EXTENSION REQUESTS THAT SHOULD HAVE BEEN FILED IF THE APPLICATION HAD NEVER BEEN ABANDONED. IF YOU DID NOT RECEIVE THE NOTICE OF ALLOWANCE, INCLUDE A STATEMENT THAT YOU DID NOT RECEIVE THE NOTICE OF ALLOWANCE.

FOR FURTHER INFORMATION CALL 1-800-786-9199



Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

NOTICE OF APPROVAL OF EXTENSION REQUEST

Jan 15, 2005

TM106

ATTORNEY
REFERENCE NUMBER:

MARK B. HARRISON
VENABLE LLP
P.O. BOX 34385
WASHINGTON, D.C. 20043-9998

40845-184034

SERIAL NUMBER: 76/468074

MARK: STEADFAST

OWNER: Steadfast Capital Management, LLC

EXTENSION REQUEST NUMBER: 1 **NOTICE OF ALLOWANCE DATE:** Jul 6, 2004

A Notice of Allowance was issued on Jul 6, 2004 for the trademark application identified above. The FIRST request for Extension of Time to File a Statement of Use has been approved. Applicant must continue to file extension requests every 6 months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed. Please note that a Statement of Use cannot be filed more than 36 months from the issuance date of the Notice of Allowance.

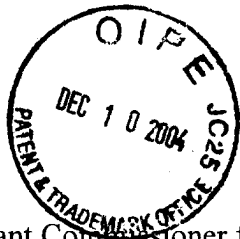
For further information please check the USPTO web site at www.uspto.gov or call the Trademark Assistance Center at 703-308-9000.

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575 7th Street, NW
Washington, DC 20004-1601

Telephone 202-344-4000
Facsimile 202-344-8300

www.venable.com



December 10, 2004

Mark B. Harrison
(202) 962-4019
mbharrison@venable.com

Honorable Assistant Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Re: U.S. Trademark Application 76/468,074
Mark: **STEADFAST**
Applicant: Steadfast Capital Management, LLC
Our Reference: 40845-184034

Sir:

We enclose the following for filing in the Patent and Trademark Office:

X First Request for an Extension of Time to File a Statement of Use

Authorization is granted to deduct the \$150.00 filing fee from Deposit Account No. 22-0261 and notify us accordingly.

Please update your records to reflect that correspondence should be sent to the following address:

VENABLE LLP
P.O. Box 34385
Washington, DC 20045-9998

Sincerely,

A handwritten signature in black ink, appearing to read "Mark B. Harrison".

Mark B. Harrison

MBH/lmf
Enclosure



12-10-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #72

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Operations

Applicant : Steadfast Capital Management, LLC
Serial No : 76/468,074
Filed : November 8, 2002
Mark : **STEADFAST**

Attorney's Reference: 40845-184034

Honorable Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

1st REQUEST FOR EXTENSION OF TIME UNDER 37 CFR 2.89
TO FILE STATEMENT OF USE

Sir:

Applicant requests a six-month extension of time to file the Statement of Use under 37 CFR 2.88 in connection with the above-identified trademark application.

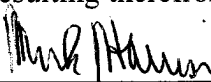
Applicant has a continued bona fide intention to use the mark in commerce in connection with the following services: *Those services identified in the Notice of Allowance in this application.*

This is the first request for an extension of time following the mailing of the Notice of Allowance. Applicant has not used the mark in commerce yet on all of the services specified in the Notice of Allowance.

The undersigned declares and states that he is properly authorized to execute and sign this Request for Extension of Time to File a Statement of Use on behalf of and for the applicant; that he believes the applicant to be the owner of the trademark sought to be registered; that all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

Date: December 10, 2004

By:



Mark B. Harrison

Venable LLP

P.O. Box 34385

Washington, D.C. 20045-9998

Telephone: (202) 344-4019

Fax: (202) 344-8300

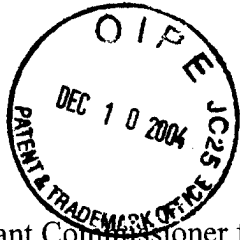
Attorney for Applicant

VENABLE[®] LLP

575 7th Street, NW
Washington, DC 20004-1601

Telephone 202-344-4000
Facsimile 202-344-8300

www.venable.com



December 10, 2004

Mark B. Harrison
(202) 962-4019
mbharrison@venable.com

Honorable Assistant Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Re: U.S. Trademark Application 76/468,074
Mark: STEADFAST
Applicant: Steadfast Capital Management, LLC
Our Reference: 40845-184034

Sir:

We enclose the following for filing in the Patent and Trademark Office:

X First Request for an Extension of Time to File a Statement of Use

Authorization is granted to deduct the \$150.00 filing fee from Deposit Account No. 22-0261 and notify us accordingly.

Please update your records to reflect that correspondence should be sent to the following address:

**VENABLE LLP
P.O. Box 34385
Washington, DC 20045-9998**

Sincerely,

A handwritten signature in black ink, appearing to read "Mark B. Harrison".

Mark B. Harrison

MBH/lmf
Enclosure



12-10-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #72

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Operations

Applicant : Steadfast Capital Management, LLC
Serial No : 76/468,074
Filed : November 8, 2002
Mark : **STEADFAST**

Attorney's Reference: 40845-184034

Honorable Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

1st REQUEST FOR EXTENSION OF TIME UNDER 37 CFR 2.89
TO FILE STATEMENT OF USE

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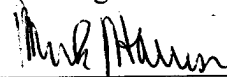
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The undersigned declares and states that he is properly authorized to execute and sign this Request for Extension of Time to File a Statement of Use on behalf of and for the applicant; that he believes the applicant to be the owner of the trademark sought to be registered; that all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

Date: December 10, 2004

By:



Mark B. Harrison
Venable LLP
P.O. Box 34385
Washington, D.C. 20045-9998
Telephone: (202) 344-4019
Fax: (202) 344-8300
Attorney for Applicant

U.S. Patent and Trademark Office (USPTO)

NOTICE OF ALLOWANCE

NOTE: If any data on this notice is incorrect, please fax a request for correction to the Intent to Use Unit at 703-746-3400. Please include the serial number of your application on ALL correspondence with the USPTO.

ISSUE DATE: Jul 6, 2004

MARK B. HARRISON
VENABLE
P.O. BOX 34385
WASHINGTON, D.C. 20043-9998

ATTORNEY
REFERENCE NUMBER

40845-184034

**** IMPORTANT INFORMATION: 6 MONTH DEADLINE ****

You filed the trademark application identified below based upon a bona fide intention to use the mark in commerce. You must use the mark in commerce and file a Statement of Use (a.k.a. Allegation of Use) before the USPTO will register the mark. You have six (6) MONTHS from the ISSUE DATE of this Notice of Allowance (NOA) to file either a Statement of Use, or if you are not yet using the mark in commerce, a Request for Extension of Time to File a Statement of Use ("Extension Request"). If you file an extension request, you must continue to file a new request every six months until the Statement of Use is filed. Applicant may file a total of five (5) extension requests. FAILURE TO FILE A REQUIRED DOCUMENT DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF YOUR APPLICATION.

Please note that both the "Statement of Use " and "Extension Request" have many legal requirements including fees. Therefore, we encourage use of the USPTO forms, available online at <http://www.uspto.gov/teas/index.html> (under "File a PRE-registration form"), to avoid the possible omission of important information. Please note that the Trademark Electronic Application System (TEAS) provides line-by-line help instructions for completing the Extension Request or Statement of Use forms online. If you do not have access to the Internet, you may call 1-800-786-9199 to request the printed form(s).

The following information should be reviewed for accuracy:

SERIAL NUMBER: 76/468074
MARK: STEADFAST
OWNER: Steadfast Capital Management, LLC
767 5th Avenue, 11th floor
New York , NEW YORK 10153

This application has the following bases, but not necessarily for all listed goods/services:

Section 1(a): NO

Section 1(b): YES

Section 44(e): NO

GOODS/SERVICES BY INTERNATIONAL CLASS

036 - FINANCIAL SERVICES, NAMELY, FINANCIAL ANALYSIS AND CONSULTATION, FORECASTING AND RESEARCH, AND FINANCIAL INVESTMENTS IN THE FIELD OF MUTUAL FUNDS, HEDGE FUNDS AND PRIVATE EQUITY INVESTMENTS; INVESTMENT ADVISORY SERVICES; FINANCIAL ADVISORY SERVICES; SECURITIES AND INVESTMENT TRADING SERVICES

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

ADDITIONAL INFORMATION MAY BE PRESENT IN THE USPTO RECORDS



Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514
www.uspto.gov

Mar 24, 2004

NOTICE OF PUBLICATION UNDER 12(a)

- | | |
|--------------------------------------|--|
| 1. Serial No.:
76/468,074 | 2. Mark:
STEADFAST |
| 3. International Class(es):
36 | |
| 4. Publication Date:
Apr 13, 2004 | 5. Applicant:
Steadfast Capital Management, LLC |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained from:

The Superintendent of Documents
U.S. Government Printing Office
PO Box 371954
Pittsburgh, PA 15250-7954
Phone: (202) 512-1800

By direction of the Commissioner.

Correspondence Address:

MARK B. HARRISON
VENABLE
P.O. BOX 34385
WASHINGTON, D.C. 20043-9998

TMP&I



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Attorney: Dominick J. Salemi

Trademark Law Office 107

Applicant : Steadfast Capital management, LLC
Serial No : 76/468,074
Filed : November 8, 2002
Mark : **STEADFAST**

Attorney's Reference: 40845-184034

October 28, 2003

RESPONSE



Honorable Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

10-28-2003


U.S. Patent & TMO/TM Mail Rcpt Dt. #74

Sir:

In response to the Office Action issued in connection with this application, please amend the identification of goods clause to read as follows:

Financial services, namely, financial analysis and consultation, forecasting and research, and financial investments in the field of mutual funds, hedge funds and private equity investments; investment advisory services; financial advisory services; securities and investment trading services in Class 36

In view thereof, it is hereby requested that the present application be approved for publication in the *Official Gazette*.

By: 
Mark Harrison
VENABLE
P.O. Box 34385
Washington, D.C. 20043-9998
Tel: (202) 344-4019

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 76/468074

APPLICANT: Steadfast Capital Management, LLC

CORRESPONDENT ADDRESS:

MARK B. HARRISON
VENABLE
P.O. BOX 34385
WASHINGTON, D.C. 20043-9998

RETURN ADDRESS:

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513
ecom106@uspto.gov

MARK: STEADFAST

CORRESPONDENT'S REFERENCE/DOCKET NO: 40845-184034

Please provide in all correspondence:

CORRESPONDENT EMAIL ADDRESS:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

OFFICE ACTION

TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.

Serial Number 76/468074

The assigned examining attorney has reviewed the referenced application and determined the following.

The wording "financial services" in the recitation of services is unacceptable as indefinite. The applicant must amend the recitation to specify the common commercial name of the services or to indicate their nature. TMEP §1402.11.

Please note that, while an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. §2.71(a); TMEP §1402.06. Therefore, the applicant may not amend to include any services that are not within the scope of the services recited in the present identification.

If the applicant prosecutes this application as a combined, or multiple#class, application, the applicant must comply with each of the following.

(1) The applicant must list the goods/services by international class with the classes listed in ascending numerical order. TMEP §1403.01.

(2) The applicant must submit a filing fee for each international class of goods/services not covered by the fee already paid. 37 C.F.R. §§2.6(a)(1) and 2.86(a); TMEP §§810.01 and 1403.01. Effective January 1, 2003, the fee for filing a trademark application is \$335 for each class. This applies to classes added to pending applications as well as to new applications filed on or after that date.

The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

/dominick j. salemi/
Law Office 107
(703)308-9107 EX 164
ecomm107@uspto.gov

How to respond to this Office Action:

To respond formally using the Office's Trademark Electronic Application System (TEAS), visit <http://www.uspto.gov/teas/index.html> and follow the instructions.

To respond formally via E-mail, visit <http://www.uspto.gov/web/trademarks/tmelecresp.htm> and follow the instructions.

To respond formally via regular mail, your response should be sent to the mailing Return Address listed above and include the serial number, law office and examining attorney's name on the upper right corner of each page of your response.

To check the status of your application at any time, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov/>

For general and other useful information about trademarks, you are encouraged to visit the Office's web site at <http://www.uspto.gov/main/trademarks.htm>

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 76/468074

APPLICANT: Steadfast Capital Management, LLC

CORRESPONDENT ADDRESS:

MARK B. HARRISON
VENABLE
P.O. BOX 34385
WASHINGTON, D.C. 20043-9998

RETURN ADDRESS:

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513
ecom106@uspto.gov

MARK: STEADFAST

CORRESPONDENT'S REFERENCE/DOCKET NO: 40845-184034

Please provide in all correspondence:

CORRESPONDENT EMAIL ADDRESS:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

OFFICE ACTION

TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.

Serial Number 76/468074

The assigned examining attorney has reviewed the referenced application and determined the following.

The wording "financial services" in the recitation of services is unacceptable as indefinite. The applicant must amend the recitation to specify the common commercial name of the services or to indicate their nature. TMEP §1402.11. Applicant must specify the particular type of financial services offered.

Please note that, while an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. §2.71(a); TMEP §1402.06. Therefore, the applicant may not amend to include any services that are not within the scope of the services recited in the present identification.

The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

If the applicant has any questions or needs assistance in responding to this Office action, please telephone the assigned examining attorney.

DSalemi

How to respond to this Office Action:

To respond formally using the Office's Trademark Electronic Application System (TEAS), visit <http://www.uspto.gov/teas/index.html> and follow the instructions.

To respond formally via E-mail, visit <http://www.uspto.gov/web/trademarks/tmelecresp.htm> and follow the instructions.

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FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.

*** User: dsalemi ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	0	0:01	76468074[SN]
02	1026	N/A	0	0	0:02	*ste?d*[bi,ti]
03	12086	N/A	0	0	0:01	*fas*[bi,ti]
04	35	10	25	7	0:01	2 and 3
05	3	1	2	0	0:01	"stead fast"[bi,ti]
06	28	6	22	5	0:01	"steadfast"[bi,ti]

Session started 4/23/03 2:05:41 PM
 Session finished 4/23/03 2:07:54 PM
 Total search duration 0 minutes 7 seconds
 Session duration 2 minutes 13 seconds

Default NEAR limit= 1 ADJ limit= 1

Sent to TIGRS as Serial Number: 76468074



11-08-2002

U.S. Patent & TMOfo/TM Mail Rcpt Dt. #31

Applicant: Steadfast Capital Management, LLC

Address: 767 5th Avenue, 11th floor
New York, New York 10153

Services: Financial services; investment advisory services; financial advisory
services; securities and investment trading services; in
International Class 36.

Attorneys: VENABLE
P.O. Box 34385
Washington, D.C. 20043-9998

STEADFAST

U.S. Patent & TMOfo/TM



76468074

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TRADEMARK APPLICATION SERIAL NO.

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

11/22/2002 MPETTY 00000031 76468074

01 FC:6001 325.00 OP



VENABLE
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VENABLE, BAETJER, HOWARD & CIVILETTI, LLP
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VIRGINIA

Mark B. Harrison
(202) 962-4019
mbharrison@venable.com

November 8, 2002

Honorable Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Re: Trademark Application in the U.S.
Mark: STEADFAST
Applicant: Steadfast Capital Management, LLC
Our Reference: 40845-184034

Sir:

We enclose a trademark application for filing in connection with the above-referenced matter. Also enclosed is our check in the amount of \$325.00 to cover the filing fee for same. If there is no check attached hereto or the check is for an insufficient amount, authorization is granted to charge our Deposit Account No. 22-0261 for any deficiencies.

Thank you for your attention to this matter.

Sincerely,

Mark B. Harrison

MBH/lmf
Enclosure

CW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: **STEADFAST**

Int'l. Class: 36

Attorney Reference: 40845-184034

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS

STATEMENT

The Applicant herein, Steadfast Capital Management, LLC, a Delaware limited liability company, having its offices and principal place of business at 767 5th Avenue, 11th floor, New York, New York 10153 has the bona fide intention to use in commerce the mark shown in the accompanying drawing for

“Financial services; investment advisory services; financial advisory services; securities and investment trading services; in International Class 36.

and requests that said mark be registered in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5th, 1946.

The mark is intended to be used by applying it to promotional materials.

POWER OF ATTORNEY

Applicant hereby appoints as attorney Mark B. Harrison, Marcia A. Auburger, Andrew D. Price, and Jacqueline Levasseur Patt each a member of the Bar of the District of Columbia and/or Virginia and/or New York, and having his offices and post office address at Suite 1000, 1201 New York Avenue, N.W., Washington, D.C. 20005, Telephone (202) 962-4800, Telefax (202) 962-8300, to prosecute this application to register, and to transact all business in the Patent and Trademark Office in connection therewith, and to receive all documents, including the Certificate of Registration.

DESIGNATION OF CORRESPONDENCE ADDRESS

Send all notices, official letters, documents, and other correspondence concerning this application to Mark Harrison, VENABLE, P.O. Box 34385, Washington, D.C. 20043-9998.


DECLARATION

The undersigned declares and states that he is an officer of Applicant or is authorized to execute and sign this statement, power of attorney and declaration on behalf of and for the said Applicant; that he believes Applicant to be entitled to use such mark in commerce; that he believes Applicant to be the owner of the mark sought to be registered; that to the best of his knowledge and belief no other person, firm, corporation or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as may be likely, when applied to the goods or services of such other person, to cause confusion, or to cause mistake, or to deceive; that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

Done, this 31 day of October, 2002.

Steadfast Capital Management, LLC

By: _____



(signature)

Name: _____

Robert S. Pitts

(print)

Title: _____

President

(print)



11-08-2002

U.S. Patent & TMOfo/TM Mail Rcpt Dt. #31

Applicant: Steadfast Capital Management, LLC

Address: 767 5th Avenue, 11th floor
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Services: Financial services; investment advisory services; financial advisory
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Attorneys: VENABLE
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Washington, D.C. 20043-9998

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